



Health  
Infrastructure

**Proponent Response to  
Independent Audit #3  
Findings  
The Children's Hospital at  
Westmead Multi-Storey  
Carpark**

State Significant Development (SSD)

SSD-10434896

**PWC**

[VERSION 1.0]

20 June 2023

**PROPONENT RESPONSE TO INDEPENDENT AUDIT #3 FINDINGS THE CHILDREN’S HOSPITAL AT WESTMEAD MULTI-STOREY CARPARK**

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# PROPONENT RESPONSE TO INDEPENDENT AUDIT #3 FINDINGS THE CHILDREN'S HOSPITAL AT WESTMEAD MULTI-STOREY CARPARK

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## Introduction

### Project Name and Project Application Number

The Children's Hospital at Westmead Multi-Storey Carpark – SSD-10434896

### Site Address

The Children's Hospital at Westmead (Lot 101 DP 1119583 and Lot 1 DP 1194390)

### Title and Revision Number

Proponent Response to Independent Audit #3 Findings Version 1

### Date

20/06/2023

### Contact Details

<b>Proponent</b>	Health Infrastructure
<b>Client Representative</b>	PwC
<b>Managing Contractor</b>	Kane Constructions Pty Ltd

### Independent Audit Date

2 May 2023

### Independent Auditor

WolfPeak

### Proponent Response

The table below details the Conditions of Consent that were classified as "Non-compliance" or "Observation" with a recommendation by the Independent Auditor during the Independent Audit conducted on 2 May 2023. As required the proponent has provided a detailed action plan to be undertaken in response to each non-compliance, refer table 1 on the next page.

Condition No.	Requirement and Audit Findings	Independent Auditor Comments / recommended Actions	Proponent Response / Timing
<b>Findings from the first Independent Audit (IA1)</b>			
<b>A24</b>	<p>Requirement: At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> <li>i. the documents referred to in condition A2 of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. all approved strategies, plans and programs required under the conditions of this consent;</li> <li>iv. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>v. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>vi. a summary of the current stage and progress of the development;</li> <li>vii. contact details to enquire about the development or to make a complaint;</li> <li>viii. a complaints register, updated monthly;</li> <li>ix. audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</li> <li>x. any other matter required by the Planning Secretary; and</li> </ul> <p>b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations.</p> <p><b>Non-compliance:</b> The website does not contain the information listed in this condition.</p>	<p>The Project website is to be updated to include those documents detailed in A24. Documents should be easy to access.</p>	<p>Closed</p>
<b>A33</b>	<p>Requirement: No later than 48 hours prior to the commencement of construction, a Compliance Monitoring and Reporting Schedule prepared in accordance with the Compliance Reporting Post Approval Requirements, as amended by condition A34, must be submitted to the Planning Secretary and the Certifier.</p> <p><b>Non-compliance:</b> From the evidence provided, it is not clear that a copy of the Compliance Reporting Schedule has been submitted to the Department.</p>	<p>At the first Independent Audit it was recommended that the Project's Compliance Reporting Schedule be submitted to the Department. The Project's Pre-Commencement Compliance Report titled Project Compliance Monitoring &amp; Reporting Program (Rev. 1 – 23 March 2023) was submitted to the Department on the 6 April 2023.</p> <p>The Department indicated on the 13 April 2023 that the Project's Compliance Reporting Schedule still outstanding and requires to be submitted to the Department to bring the project into compliance.</p> <p>Compliance Monitoring and Reporting Schedule was re-</p>	<p>The project has updated the project Compliance Reporting Schedule which is now available on the project website.</p>

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		submitted to the Department. Acknowledgment email was sighted with no comments from the Department on the 5 June 2023	
<b>A35</b>	<p>Requirement: Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements.</p> <p><b>Non-compliance:</b> From the evidence provided, it appears that the Pre-construction Compliance Report was not accompanied with a declaration in accordance with Appendix D of the Compliance Reporting Post Approval Requirements. Further the Pre-construction Compliance Report does not reference any evidence to support claims of compliance (as is required under the Department's Compliance Reporting Post Approval Requirements. The Auditor notes that the Department has not provided any comments on the Report, in its response dated 23/05/22.</p>	<p>At the first Independent Audit it was recommended that the Pre-construction Compliance Report should be updated to include references to the evidence used to support claims of compliance and to include a declaration signed by HINSW.</p> <p>The updated Pre-Commencement Compliance Report dated 29 June 2022 includes a declaration signed by Ford Civil. Compliance Report was submitted to the Department 6 April 2023.</p>	Closed
<b>Findings from the second Independent Audit (IA2)</b>			
<b>B13</b>	<p>The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a) be prepared by a suitably qualified and experienced noise expert;</li> <li>b) describe procedures for achieving the noise management levels in EPA's Interim Construction Noise Guideline (DECC, 2009);</li> <li>c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;</li> <li>d) include strategies that have been developed with the community for managing high noise generating works;</li> <li>e) describe the community consultation undertaken to develop the strategies in condition B13(d);</li> <li>f) include a complaints management system that would be implemented for the duration of the construction; and</li> <li>g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B13.</li> </ul> <p><b>Non-compliance:</b> The CNVMSP was not prepared by a suitably qualified and experienced noise expert (plan prepared by the Ford Civil team). That being said, the CNVMSP was reviewed by noise and vibration consultant, SLR. The plan was revised to address feedback from SLR before being finalised. The Auditor also observes that the high noise respite hours in section 5.2 of the CNVMSP do not align with (and are less stringent than) the hours specified in C8.</p>	Update the Kane Construction Noise and Vibration Management Sub-Plan to describe the community consultation undertaken to develop the strategies in condition B13(d), once completed.	Closed

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<p><b>B14</b></p>	<p>The Construction Waste Management Sub-Plan (CWMSWP) must address, but not be limited to, the procedures for the management of waste including the following:  a) the recording of quantities, classification (for materials to be removed) and validation (for materials to remain) of each type of waste generated during construction and proposed use;  b) information regarding the management of asbestos; and  c) information regarding the recycling and disposal locations,</p> <p><b>Observation:</b> Whilst still yet to be implemented (as Ford remains Principal Contractor until their works are complete) and acknowledging that Ford is supposed to clear the site of asbestos prior to handing over to Kane, the Kane CWMSWP refers the reader to the CEMP for details on the management of asbestos.</p> <p>The auditee notes that ‘the CEMP includes the unexpected finds protocol for contamination and associated communications procedure (Attachment 8), which includes the procedure for workers who come into contact with unexpected potential hazards including (but not limited to) asbestos. The Asbestos Management Plan by JBS&amp;G includes the procedures for management of asbestos’.</p> <p>The auditor acknowledges this approach, however notes that the condition requires the CWMSWP to include information regarding the management of asbestos. The CWMSWP does not currently contain this information.</p>	<p>Update the Kane Construction Waste Management Sub-Plan to set out the procedure for management of asbestos.</p>	<p>Closed</p>
<p><b>Findings from the third Independent Audit (IA3)</b></p>			
<p><b>A28</b></p>	<p>Non-Compliance Notification</p> <p>The Planning Secretary must be notified through the major projects’ portal within seven days after the Applicant becomes aware of any non-compliance. The Certifier must also notify the Planning Secretary through the major projects’ portal within seven days after they identify any non-compliance.</p> <p><b>Non-compliance:</b> The non-compliances raised in the IA2 (report date 7 December 2022) were not notified to the Department through the major projects’ portal within seven days after the applicant become aware of it.</p> <p>Note: The applicant indicated that the Proponent Response to IA2 Findings (20 of December 2022) included the three non-compliances and that is how the project notified the non-compliances. The Department provided a response on the IA2 on the 14 April 2023.</p>	<p>Non-compliances were notified to the Department on the 22 December 2022 (11 days after they become aware of them) via submission of the Proponent Response to IA2 Findings.</p>	<p>Closed</p>
<p><b>A31</b></p>	<p>Revision of Strategies, Plans and Programs.</p> <p>Within three months of:</p> <ul style="list-style-type: none"> <li>a) the submission of a compliance report under condition A36;</li> <li>b) the submission of an incident report under condition A27;</li> </ul>	<p>Notification to the Certifier of the revision of the CEMP and sub-plans was completed on the 5 of June 2023.</p>	<p>Closed</p>

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	<p>c) the submission of an Independent Audit under condition C40 or C41;  d) the approval of any modification of the conditions of this consent; or  e) the issue of a direction of the Planning Secretary under condition A2 which requires a review,</p> <p>the strategies, plans and programs required under this consent must be reviewed, and the Planning Secretary and the Certifier must be notified in writing that a review is being carried out.</p> <p><b>Non-compliance:</b> Whilst there was evidence of a review having been conducted and notified to the Department on Kane’s CEMP in December 2022, there was no evidence that the review was notified in writing to the Certifier, as required by this condition.</p>		
<p><b>B13</b></p>	<p>Construction Noise and Vibration Management Sub-Plan</p> <p>The Construction Noise and Vibration Management Sub-Plan must address, but not be limited to, the following:</p> <p>a) be prepared by a suitably qualified and experienced noise expert;  b) describe procedures for achieving the noise management levels in EPA’s Interim Construction Noise Guideline (DECC, 2009);  c) describe the measures to be implemented to manage high noise generating works such as piling, in close proximity to sensitive receivers;  d) include strategies that have been developed with the community for managing high noise generating works;  e) describe the community consultation undertaken to develop the strategies in condition B13(d);  f) include a complaints management system that would be implemented for the duration of the construction; and  g) include a program to monitor and report on the impacts and environmental performance of the development and the effectiveness of the implemented management measures in accordance with the requirements of condition B13.</p> <p><b>Observation:</b> It was noted that the CNVMP does not include the investigation of events of excessive noise. This appears to be a shortcoming of the CNVMP, and it is recommended that Kane review and update the sub-plan accordingly, which will better address condition B13(g).</p>	<p>Recommended that Kane review and update the CNVMSP to include investigation of events of excessive noise and a program to monitor and report on the impacts and environmental performances of the development to better address condition B13(g).</p>	<p>Kane will update the Construction Noise and Vibration Management Sub-Plan.</p>
<p><b>C22</b></p>	<p>Soil and Water</p> <p>All erosion and sediment control measures must be effectively implemented and maintained at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works have been stabilised and rehabilitated so that it no longer acts as a source of sediment. Erosion and sediment control techniques, as a minimum, are to be in accordance with the publication Managing Urban Stormwater: Soils &amp; Construction (4th edition, Landcom, 2004) commonly referred to as the ‘Blue Book’.</p>	<p>Sediment and Erosion Control Plan - Sheet 2, Drawing No. C-06 date to be reviewed and updated, as required.</p> <p>Sediment and Erosion Control Plan,</p>	<p>Closed</p>

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	<p><b>Observation:</b> It appears there is an incorrect date in the Sediment and Erosion Control Plan - Sheet 2, Enscape Studio, Rev.1 Drawings No.C-06, dated 14/7/22 (Issued for Construction) as revision F was issued for approval on the 8/5/23.</p>	Drawing No. C-06 Rev. 1 was updated on the 8 May 2023.	
<b>C32</b>	<p>Waste Storage and Processing</p> <p>The Applicant must record the quantities of each waste type generated during construction and the proposed reuse, recycling and disposal locations for the duration of construction.</p> <p><b>Observation:</b> Although the Bingo/Djurwa Monthly Waste Report includes the quantities of each waste type; it is recommended that Kane develops its own waste tracking register to record the data provided by Bingo and Djurwa on their monthly waste reports.</p>	<p>Kane to develop and maintain a project waste tracking register.</p> <p>Waste Master Register dated 2 June 2023 was developed and presented prior the finalisation of the audit report. The register includes dated from January to April 2023.</p>	Closed
<b>A24</b>	<p>Access to Information</p> <p>At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:</p> <p>a) make the following information and documents (as they are obtained or approved) publicly available on its website:</p> <ul style="list-style-type: none"> <li>i. the documents referred to in condition A2 of this consent;</li> <li>ii. all current statutory approvals for the development;</li> <li>iii. all approved strategies, plans and programs required under the conditions of this consent;</li> <li>iv. regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;</li> <li>v. a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</li> <li>vi. a summary of the current stage and progress of the development;</li> <li>vii. contact details to enquire about the development or to make a complaint;</li> <li>viii. a complaints register, updated monthly;</li> <li>ix. audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;</li> <li>x. any other matter required by the Planning Secretary; and</li> </ul> <p>b) keep such information up to date, to the satisfaction of the Planning Secretary and publicly available for 12 months after the commencement of operations</p>	<p>Complaints Register to be up-to-date and include all the complaints received for the Westmead Hospital MSCP project. Register to be uploaded on a monthly basis to the project website.</p> <p>Records for the project noise, dust and vibration monitoring results to be timely published on the Project website.</p>	The project complaints register has been updated and uploaded to the project website. Likewise, the project noise, dust and vibration monitoring results have been uploaded to the project website.



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<p><b>Observation:</b> Kane’s Incident/ Injury/ Corrective Action &amp; Complaint register indicated that there was a complaint received on the 23 January 2023 which has not been included in the complaints register posted in the project website.</p> <p>Complaints Register posted in the project website was up to 28 of February 2023 and did not include all the complaints received for the Westmead Hospital MSCP project.</p> <p>Additionally, the Auditor observes that whilst there is no commitment within the CEMP and Sub-plans to publish monitoring results on the Project website, this has been completed voluntarily during the previous audit periods by Ford Civil. Kane commenced collecting dust, noise and vibration monitoring results from April 2023, however these are yet to be published on the Project website. The Auditor recommends continuing the practice of timely publication of these records for the sake of consistency.</p> <p>Prior finalisation of this audit report, Kane presented noise monitoring results for April and May 2023 in an excel table, including: the date, time, monitor ID, site, building, reading, tolerance, exceedance, status and cause.</p>		
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